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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Express Mail No	EL 477 033 916 US
Application Number	09/220,275
Filing Date	December 23, 1998
First Named Inventor	Friend
Group Art Unit	1631
Examiner Name	Marschel, A.
Attorney Docket Number	9301-039-999

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TECH CENTER 1605, 2905

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Pennie & Edmonds LLP Deposit Account No. 16-1150:
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e), estimated to be \$ 370.00 (small entity)
- ii. ☐ Extension of time fee required under 37 C.F.R. §§ 1.136 and 1.17, estimated to be \$ _____ for a _____ month extension, the request for which is being made herewith
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Adriane M. Antler	Registration No. (Attorney/Agent)	32,605
Signature	<i>Adriane M. Antler</i>	Date	January 30, 2002

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, Box RCE, Washington, DC 20231, or by facsimile transmitted to fax no. 1-703- _____ to the U.S. Patent and Trademark Office on the date indicated below

Name (Print/Type)		Registration No. (Attorney/Agent)	
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231



Express Mail No. EL 477 033 916 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Friend et al.

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Application No.: 09/220,275

Group Art Unit: 1631

FEB 6 2002

Filed: December 23, 1998

Examiner: Marschel, A.

TECH CENTER 1600/2900

For: METHODS FOR USING
CO-REGULATED GENESETS TO
ENHANCE DETECTION AND
CLASSIFICATION OF GENE
EXPRESSION PATTERNS

Attorney Docket No.: 9301-039-999

PRELIMINARY AMENDMENT UNDER 37 C.F.R. §1.115

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the final Office Action mailed on October 26, 2001 in connection with the above-identified patent application and in accordance with Rule 115 of the Rules of Practice, please enter the following amendments and consider the following remarks. Applicants submit concurrently herewith: (1) Exhibit A: marked version of the amended claims; (2) Exhibit B: clean version of the pending claims, as amended; (3) an Amendment Fee Transmittal, accompanied by the appropriate fee; (4) Formal drawings consisting of 27 sheets of drawings corresponding to Figures 1-20; (5) a Request for Continued Examination (RCE) Transmittal; and (6) a Petition for Extension of Time Under 37 C.F.R. § 1.136(a).

IN THE CLAIMS:

A marked up version of the claims showing the amendments is attached hereto as Exhibit A. Matter that has been deleted from claims 58 and 71-72 is indicated by brackets and matter that has been added is indicated by underlining. A clean version of the pending claims, as amended, is attached hereto as Exhibit B.